

IN THE SENATE

SENATE BILL NO. 1336

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1602, IDAHO CODE, TO PROVIDE THAT THE APPLICABILITY OF CERTAIN PROVISIONS TO CERTAIN PUPILS IS GOVERNED BY SUCH PUPIL'S INDIVIDUALIZED EDUCATION PLAN AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 33-1602, Idaho Code, be, and the same is hereby amended to read as follows:

33-1602. UNITED STATES CONSTITUTION -- NATIONAL FLAG AND COLORS -- NATIONAL ANTHEM -- "AMERICA" -- CITIZENSHIP -- CIVICS TEST. (1) Instruction in the Constitution of the United States shall be given in all elementary and secondary schools. The state board of education shall adopt such materials as may be deemed necessary for said purpose, and shall also determine the grades in which such instruction shall be given.

(2) Instruction in the proper use, display and history of and respect for the American flag and the national colors shall be given in all elementary and secondary schools. Such instruction shall include the pledge of allegiance to the flag, the words and music of the national anthem, and of "America."

(3) Every school board of trustees shall cause the United States flag to be displayed in every classroom during the school hours of each school day.

(4) Every public school shall offer the pledge of allegiance or the national anthem in grades ~~one (1)~~ through ~~twelve (12)~~ at the beginning of each school day.

(5) No pupil shall be compelled, against the pupil's objections or those of the pupil's parent or guardian, to recite the pledge of allegiance or to sing the national anthem.

(6) Instruction in citizenship shall be given in all elementary and secondary schools. Citizenship instruction shall include lessons on the role of a citizen in a constitutional republic, how laws are made, how officials are elected, and the importance of voting and of participating in government. Such instruction shall also include the importance of respecting and obeying statutes which are validly and lawfully enacted by the Idaho legislature and the congress of the United States.

(7) Starting with the 2016-2017 school year, all secondary pupils must show they have met the state civics and government standards for such instruction through the successful completion of the civics test or alternate path established by the local school district or charter school that shows the student has met the standards. Assessment of standards shall be included as part of the course at the secondary level. A school district or public charter school shall document on the pupil's transcript that the pupil has passed the civics test pursuant to this subsection. The school district or

1 governing body of the charter school may determine the method and manner in  
2 which to administer the civics test. A pupil may take the civics test, in  
3 whole or in part, at any time after enrolling in grade 7 and may repeat the  
4 test as often as necessary to pass the test. The applicability of this sub-  
5 section to a pupil who receives special education services shall be governed  
6 by such pupil's individualized education plan. For the purposes of this sub-  
7 section, "civics test" means the one hundred (100) questions used by offi-  
8 cers of the United States citizenship and immigration services as a basis  
9 for selecting the questions posed to applicants for naturalization, in or-  
10 der that the applicants can demonstrate a knowledge and understanding of the  
11 fundamentals of United States history and the principles and form of United  
12 States government, as required by 8 U.S.C. section 1423. The state board of  
13 education may promulgate rules implementing the provisions of this subsec-  
14 tion.

15 SECTION 2. An emergency existing therefor, which emergency is hereby  
16 declared to exist, this act shall be in full force and effect on and after its  
17 passage and approval.